

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

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2002 NOV - 1 P 3:11

CHAPTER 13 PLAN COVER SHEET

Filing Date: 10/2/02

Docket #: 02-46025 JBR

Debtor: Jacalyn S. Nosek

Co-Debtor: _____

SS#: 011-44-6055

SS#: _____

Address: 60 Bolton Road

Address: _____

So Lancaster, MA 01561

Debtor's Counsel: Philip M. Stone, Esquire

Address: 44 Front Street

Worcester, MA 01608

Telephone #: (508)755-7354

Facsimile #: (508)752-3730

ATTACHED TO THIS COVER SHEET IS THE CHAPTER 13 PLAN FILED BY THE DEBTOR(S) IN THIS CASE. THIS PLAN SETS OUT THE PROPOSED TREATMENT OF THE CLAIMS OF CREDITORS. THE CLAIMS ARE SET FORTH IN THE BANKRUPTCY SCHEDULES FILED BY DEBTOR(S) WITH THE BANKRUPTCY COURT.

YOU WILL RECEIVE A SEPARATE NOTICE FROM THE BANKRUPTCY COURT OF THE SCHEDULED CREDITORS' MEETING PURSUANT TO 11 U.S.C. SECTION 341. THAT NOTICE WILL ALSO ESTABLISH THE BAR DATE FOR FILING PROOFS OF CLAIMS.

PURSUANT TO THE MASSACHUSETTS LOCAL BANKRUPTCY RULES, YOU HAVE UNTIL THIRTY (30) DAYS AFTER THE SECTION 341 MEETING TO FILE AN OBJECTION TO CONFIRMATION OF THE CHAPTER 13 PLAN, WHICH OBJECTION MUST BE SERVED ON THE DEBTOR, DEBTOR'S COUNSEL AND THE CHAPTER 13 TRUSTEE.

11/1/02
ENTERED ON DOCKET
10/2/02

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

CHAPTER 13 PLAN

Docket # 02-46025 JBR

DEBTORS: (M) Jacalyn S. Nosek

SS# 011-44-6055

(W) _____ SS# _____

TERM OF THE PLAN 60* Months
(If the plan is longer than thirty-six (36) months, a statement of cause pursuant to 11 U.S.C. section 1322(d) must be attached hereto.) *Debtor's income necessitates 5 year Plan.

PLAN PAYMENT: Debtor(s) to pay monthly: \$ 216.00

I. SECURED CLAIMS

A. CLAIMS TO BE PAID THROUGH THE PLAN (INCLUDING ARREARS):

Creditor	Description of claim (pre-petition arrears, purchase money, etc.)	Amount of claim
<u>Ameriquest Mortgage</u>	<u>pre-petition arrears</u>	\$ <u>3,706.50</u>
<u>North American Capital</u>	<u>execution</u>	\$ <u>5,419.92 see V-B below</u>
_____	_____	\$ _____
_____	_____	\$ _____

Total of secured claims to be paid through the Plan \$ 3,706.50

B. CLAIMS TO BE PAID DIRECTLY TO CREDITORS (Not through Plan):

Creditor	Description of Claim
<u>Ameriquest Mortgage Corp</u>	<u>monthly mortgage payment</u>
_____	_____
_____	_____
_____	_____

II. PRIORITY CLAIMS

Creditor	Description of claim	Amount of claim
Town of Lancaster	real estate taxes	2,480.41
Mass Dept of Revenue	income taxes	undetermined

Total of priority claims to be paid through the plan \$ 2,480.41

III. ADMINISTRATIVE CLAIMS

A. Attorneys fees (to be paid through the plan): \$ _____
(to be paid in first 12 months of plan)

B. Miscellaneous fees:

Creditor	Description of claim	Amount of claim

C. The chapter 13 trustee's fee is determined by order of the United States Attorney General. The calculation of the Plan payment set forth below utilizes a 10% trustee's commission. In the event that the trustee's commission is less than 10%, the additional funds collected by the trustee shall be disbursed to unsecured creditors up to 100% of the allowed claims.

IV. UNSECURED CLAIMS

The general unsecured creditors shall receive a dividend of 10 % of their claims.

A. General unsecured claims: \$ 33,501.22 (DOR disputed)

B. Undersecured claims arising after lien avoidance/cramdown:

Creditor	Description of claim	Amount of Claim
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North American Capital Corp	recorded execution	5,419.92

Total of A + B general unsecured claims: \$ 38,921.14

C. Multiply total by percentage of dividend: \$ 3,892.11
(Example: Total of \$38,500.00 x .22 dividend = \$8,470.00)

D. Separately classified unsecured claims (co-borrower/student loan, etc.):

Creditor	Description of claim	Amount of claim
<u>Sallie Mae Servicing</u>	<u>student loan</u>	<u>\$1,575.48</u>
		\$ _____
		\$ _____
Total amount of separately classified claims payable at <u>100</u> %:		<u>\$ 1,575.48</u>

V. OTHER PROVISIONS

A. Liquidation of assets to be used to fund plan: _____

B. Modification of Secured Claims: Set forth details of modifications below or on attached sheets. This information should include name of creditor and detailed explanation of the modification. The total amount of the secured claim that is to be paid through the plan (inclusive of interest) should be set forth in Section I of this Plan.

Secured lien of North American Capital Corp in the amount of \$5,419.92 to be voided as impairing real estate exemption and claim to be treated as unsecured payable @ 10%

C. Miscellaneous provisions: At this time, Debtor does not anticipate there will be any tax liabilities resulting from her filing tax returns for the period of 1991-2001.

VI. CALCULATION OF PLAN PAYMENT

a. Secured claims (Section I-A Total): \$ 3,706.50

b. Priority claims (Section II Total): +\$ 2,480.41
c. Administrative claims (Section III A + B Total): +\$
d. General unsecured claims (Section IV-C Total): +\$ 3,892.11
e. Separately classified unsecured claims
(Section IV-D Total): +\$ 1,575.48
f. Total of (a) through (e) above: = \$ 11,655.
g. Divide (f) by .90 for total including
Trustee's fee: Cost of Plan = \$ 12,950.
h. Divide (g) Cost of Plan by Term of plan: 60 months
i. Round up to nearest dollar: Monthly Plan Payment: \$ 216.00
(Enter this amount on page 1)

Pursuant to 11 U.S.C. section 1326(a)(1), unless the Court orders otherwise, a debtor shall commence making the payments proposed by a plan within thirty (30) days after the plan is filed.

LIQUIDATION ANALYSIS

I. Real Estate:

Address	Fair Market Value	Recorded Liens (Schedule D)
60 Bolton Road So Lancaster, MA	<u>\$ 165,000.</u>	<u>\$ 112,931.</u>
	<u>\$ </u>	<u>\$ </u>
	<u>\$ </u>	<u>\$ </u>

Total Net Equity for Real Property: \$ 52,069.

Less Exemptions (Schedule C): \$ 56,490.

Available Chapter 7: \$ 0

II. Automobile (Describe year, make and model):

1988 Mercury Sable Value \$ 0 Lien \$ --- Exemption \$ --

1990 Chevrolet Value \$ 700. Lien \$ ---- Exemption \$ 700.

Net Value of Equity: \$ 700.

Less Exemptions (Schedule C): \$ 700.

Available Chapter 7: \$ 0

III. All Other Assets (All remaining items on Schedule B):
(Itemize as necessary) deposits, furnishings, clothing, personal possessions,
jewelry, camera, annuity, office equipment
Value: \$ 4,170. Less Exemptions (Schedule C): \$ 4,145.

Available Chapter 7: \$ 25.

SUMMARY (Total amount available under Chapter 7):

Net Equity (I and II) Plus Other Assets (III) less all claimed
exemptions: \$ 25.00

Additional Comments regarding Liquidation Analysis:

Pursuant to the Chapter 13 rules, the debtor or his or her counsel
is required to serve a copy of the Amended Plan upon the Chapter 13
Trustee, all creditors and interested parties, and to file a
certificate of service accordingly.

Philip M. Stone
Debtor's counsel Philip M. Stone

Nov. 1, 2002
Date

Address: 44 Front Street
Worcester, MA 01608

Telephone#: (508) 755-7354

I/WE~~X~~ DECLARE UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING
REPRESENTATIONS OF FACT ARE TRUE AND CORRECT TO THE BEST OF OUR
KNOWLEDGE AND BELIEF.

John S. Stone
Debtor

11-01-02
Date

John S. Stone
Debtor

Date

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

IN CLERK'S OFFICE
FILED

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BANKRUPTCY COURT
WORCESTER, MA.

In re:

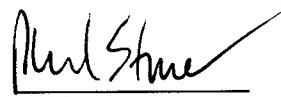
Jacalyn S. Nosek
Debtor

Chapter 13
Case No.: 02-46025-JBR

CERTIFICATE OF SERVICE

I, Philip M. Stone, Esquire do hereby certify that on this day I forwarded a copy of Debtor's Proposed Chapter 13 Plan by mailing same first class, postage prepaid to the attached service list and to:

Chapter 13 Trustee
44 Front Street
Worcester, MA 01601
(BY HAND)


Philip M. Stone

DATED: November 1, 2002

Jacalyn S. Nosek
P.O. Box 1311
Lancaster, MA 01561

Denise M. Pappalardo
P.O. Box 16607
Worcester, MA 01601

Shannon A. Chlarson
Buchalter, Nemer,
P.O. Box 8129
Newport Beach, CA 92660

AT & T Customer Fin Services
P.O. Box 16700
Mesa, AZ 85211

American Express Centurion
P.O. Box 297884
Ft Lauderdale, FL 33329

Arrow Financial Services
7031 North Lincoln Ave
Lincolnwood, IL 60712

Associates National Bank
P.O. Box 142319
Irving, TX 75014

Bank of America
P.O. Box 2493
Norfolk, VA 23501

Becket & Lee LLP
P.O. Box 3001
Malvern, PA 19355

Buchalter,Nemer,Fields et al
P.O. Box 8129
Newport Beach, CA 92658

Capital One Services Inc
P.O. Box 85015
Richmond, VA 23285

Collectcorp
300 Pearl Street, Ste 200
Buffalo, NY 14202

Discover
P.O. Box 15192
Wilmington, DE 19850

✓ Great Lakes Collection Bureau
45 Oak St
Buffalo, NY 14203

Gulf State Credit LLC
P.O. Box 105460
Atlanta, GA 30348

Hurley State Bank-Comp City
c/o Boyd & Boyd, P.C.
1185 Falmouth Road
Centerville, MA 02632

Lane Bryant/WFNNB
P.O. Box 659407
San Antonio, TX 78265

Leasecomm Corporation
c/o Peter DaMore, Jr.
11 Bedford Street
Burlington, MA 01803

National Grid/Mass Electric Co
R & A Bankruptcy,
55 Bearfoot Road
Northboro, MA 01532

North American Capital
c/o Gary Kreppel, Esquire
1661 Worcester Road
Framingham, MA 01701

Norwest Bank Minnesota,NA, Tr
c/o Steven A. Ablitt, Esq.
333 North Avenue, 4th floor
Wakefield, MA 01880

OSI Collection Services
P.O. Box 957
Brookfield, WI 53008

Sallie Mae Servicing
P.O. Box 6229
Indianapolis, IN 46206

Verizon
185 Franklin St, Room 903
Boston, MA 02110

✓ Washington National Insurance
P.O. Box 9019
Kokomo, IN 46904

United States Attorney
One Courthouse Way
Suite 9200
Boston, MA 02210

Comm of Mass Det
Attn Chief Counsel
Hurley Bldg - Govt Center
Boston MA 02114

Mass Dept of Revenue
Bankruptcy Unit
P0 Box 9484
Boston MA 02205

US Trustee
Franklin Square Tower
600 Main Street Suite 200
Worcester MA 01608

Tax Collector
City or Town Hall
South Lancaster, MA 01561

American Express Optima
Acct# 3722 6220 6831006
P.O. Box 297884
Ft Lauderdale, FL 33329-7884

Ameriquest Mortgage Company
#0004219515
P.O. Box 5646
Orange, CA 92863

Financial Credit Corp
c/o Academy Coll Service Inc
10965 Decatur Road
Philadelphia, PA 19154-3210

Town of Lancaster
Tax Collector
695 Main St
Lancaster, MA 01523